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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/992,862	11/05/2001	Anne-Marie Kermarrec	MS171124.1/40062.163US01	5999

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EXAMINER	
REFAI, RAMSEY	

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 04/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/992,862	KERMARREC ET AL.	
	Examiner	Art Unit	
	Ramsey Refai	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 February 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-29* is/are pending in the application.

4a) Of the above claim(s) *8-19 and 27-29* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7 and 20-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *01/31/02,03/25/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Responsive to Response to Restriction Requirement.

Claims 8-19 and 27-29 have been canceled.

Claims 1-7 and 20-26 are now presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-7 and 20-26 rejected under 35 U.S.C. 102(b) as being anticipated by Perlman (U.S. Patent No. 4,864,559).

4. As per claim 1, Perlman teaches a method of disseminating information to a plurality of nodes, the nodes connected in a network environment, said method comprising:

receiving a disseminated message **(Figure 7 and column 12, lines 13-17)**, the message having broadcast-type information **(column 1, lines 60-65 and column 12, lines 40-53)**; and

sending the received message to a plurality of other nodes identified in a partial view , wherein the partial view resides locally and identifies some of the other network nodes **(Figure 3, element 330, Figure 8, and column 4, line 65- column 5, line 24)**

5. As per claim 2 Perlman teaches the act of sending the message to a plurality of nodes further comprises delivery of the message to all nodes identified in the partial view **(column 2, lines 3-4 and column 4, line 65-column 5, line 24)**.

6. As per claim 3, Perlman teaches each node in the network maintains a partial view **(column 12, line 66-column13, line 4 and Figure 3, element 330).**

7. As per claim 4, Perlman teaches the partial view comprises address information for a plurality of nodes on the network, but less than all nodes on the network **(column 7, lines 34-39 and column 9, lines 3-20)**.

8. As per claim 5, Perlman teaches determining whether the received message has been previously received; and if the message has been previously received, then the message is not sent to any other nodes **(column 12, lines 54-65, column 2, lines 19-27 and column 4, line 65-column 5, line 24)**.

9. As per claim 6, Perlman teaches the act of storing identification information related to the received message to enable the determination of whether the message has been previously received **(column 12, lines 54-65, column 2, lines 19-27 and column 9, lines 3-20)** .

10. As per claim 7, Perlman teaches determining whether the message is a broadcast-type message; and if the message is not a broadcast-type message, the message is not sent to other nodes **(column 12, lines 15-65 and Figure 7)**.

11. As per claim 20, Perlman teaches a computer system for disseminating information in a distributed network comprising:

a receive module for receiving a broadcast message **(Figure 7 and column 12, lines 13-17)**;

a storage module for storing information related to other nodes in the network in a partial view **(column 7, lines 15-41; database storage)**; and

a communication module for transmitting broadcast information to nodes indicated in the partial view **(column 1, lines 35-52)**.

12. As per claim 21, Perlman teaches a partial view comprises address information for some of the nodes in the network **(column 2, lines 3-4 and column 4, line 65-column 5, line 24)**.

13. As per claim 22, Perlman teaches a communication module transmits broadcast information to all nodes identified in the partial view **(co0lumn 10, lines 46-58)**.

14. As per claim 23, Perlman teaches the computer system is part of a distributed network of computer systems, and wherein other computer systems in the network maintain a partial view of the entire network **(column 10, lines 46-58 and Figure 1)**.

15. As per claim 24, Perlman teaches a network of nodes having the ability to communicate information between said nodes, said network comprising:

an application-based broadcast protocol using a gossip-based algorithm **(column 6, lines 35-47)**;

each node maintains a partial view of the entire network **(column 12, line 66-column13, line 4 and Figure 3, element 330)**; and

each node gossips only to other nodes identified in the partial view **(column 10, lines 46-58, column 7, lines 34-39 and column 9, lines 3-20)** .

16. As per claim 25, Perlman teaches a computer readable medium having stored thereon a data structure comprising:

a first identification field for storing address location information for a node in a network environment **(column 8, lines 11-24 and column 2, lines 19-27)**;

a second identification field for storing address location information for another node in a network environment **(column 8, lines 11-24 and column 2, lines 19-27)**; ;

wherein the first and second identification fields represent a partial view of the network environment **(column 2, lines 3-4 and column 4, line 65-column 5, line 24)** ; and

wherein the data structure is used for a gossip-based communication between the nodes in the network **(column 1, lines 7-12 and column 2, lines 19-27)** .

17. As per claim 26, Perlman teaches a plurality of additional identification fields, each field identifying address information for different nodes in the network **(column 8, lines 11-24 and column 2, lines 19-27)**.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Lovell et al (U.S. Patent No. 6,633,570)

b. Cain (U.S. Patent No. 6,871,235)

c. Hurst et al (U.S. Patent No. 6,131,123)

d. Brodsky et al (U.S. Patent No. 6,243,763)

e. Chiu et al (U.S. Patent No. 6,134,599)

f. Wesley et al (U.S. Patent No. 6,275,859)

g. Mittra (U.S. Patent No. 5,748,736)

h. Lee et al (U.S. Patent No. 6,728,777).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramsey Refai whose telephone number is (571) 272-3975. The examiner can normally be reached on M-F 8:30 - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ramsey Refai
Examiner
Art Unit 2154

RR
March 29, 2005

JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100